

SENATE BILL 93
By Ketron

AN ACT to amend Tennessee Code Annotated, Section 39-17-315,
relative to the offense of stalking.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-315, is amended by deleting subsection (b) and substituting instead the following:

(b)(1) Stalking is a Class E felony.

(2) A second or subsequent violation of subsection (a) occurring within ten (10) years of the prior conviction is a Class D felony.

(3) A second or subsequent violation of subsection (a) involving the same victim and occurring within ten (10) years of the prior conviction is a Class C felony.

(4) A person convicted of a violation of subsection (a) is not eligible for probation pursuant to § 40-35-303, judicial diversion pursuant to § 40-35-313 or release to a community-based alternative to incarceration pursuant to Tennessee Code Annotated, Title 40, Chapter 36.

(5) The minimum sentence for a person convicted of a violation of subsection (a) is one (1) year. Notwithstanding the provisions of § 40-35-501, such person shall not be eligible for release eligibility status until service of the minimum sentence, less sentence credits earned and retained.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.